

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

_____	)	
UNITED STATES OF AMERICA,	)	
<i>ex rel.</i> JON H. OBERG,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL NO. 1:07-CV-960-CMH-JFA
	)	
NELNET, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF LINA SONI IN SUPPORT OF RELATOR’S OPPOSITION  
TO DEFENDANTS’ MOTIONS FOR SUMMARY JUDGMENT**

I, Lina Soni, declare as follows:

1. I am an associate with the law firm of Wiley Rein LLP, counsel to the Relator in these proceedings. I am a member of the bar of this court and I offer this declaration in support of Relator's Opposition to Defendants' Motions for Summary Judgment.

2. Attached hereto are true and correct copies of excerpts of transcripts of deposition testimony provided by current and former employees and consultants of the Defendants, and current and former employees of the Department of Education during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
1	Excerpts of Deposition Transcript of Larry Buckmeier
2	Excerpts of Deposition Transcript of A. Norgrin Sanderson
3	Excerpts of Deposition Transcript of Steve J. Kohles
4	Excerpts of Deposition Transcript of Terry Joe Heimes
5	Excerpts of Deposition Transcript of Michael S. Dunlap
6	Excerpts of Deposition Transcript of Daniel F. Kaplan
7	Excerpts of Deposition Transcript of James Parker, Vol. I
8	Excerpts of Deposition Transcript of John Amos Wright, II
9	Excerpts of Deposition Transcript of Ricky L. Turman
10	Excerpts of Deposition Transcript of Murray Watson, Jr.
11	Excerpts of Deposition Transcript of Michael S. Chesin
12	Excerpts of Deposition Transcript of Vincent Roig
13	Excerpts of Deposition Transcript of Lisa Renee Jacobson
14	Excerpts of Deposition Transcript of Richard J. Chapin

<b>Ex. No.</b>	<b>Description</b>
15	Excerpts of Deposition Transcript of Carol Rakatansky
16	Excerpts of Deposition Transcript of Jason Wheeler
17	Excerpts of Deposition Transcript of Richard Nickel
18	Excerpts of Deposition Transcript of Saul L. Moskowitz
19	Excerpts of Deposition Transcript of John Dean
20	Excerpts of Deposition Transcript of Terri Shaw
21	Excerpts of Deposition Transcript of Sally Stroup
22	Excerpts of Deposition Transcript of Kristie Hansen
23	Excerpts of Deposition Transcript of Jerry Wallace
24	Excerpts of Deposition Transcript of Clifford Boyd Baker
25	Excerpts of Deposition Transcript of Glenn Parker
26	Excerpts of Deposition Transcript of Richard Criswell
27	Excerpts of Deposition Transcript of Patricia Trubia
28	Excerpts of Deposition Transcript of Benjamin F. McPherson
29	Excerpts of Deposition Transcript of Sheila Ryan-Macie
30	Excerpts of Deposition Transcript of Jason H. P. Kravitt
31	Excerpts of Deposition Transcript of James Parker, Vol. II
32	Excerpts of Deposition Transcript of Jon H. Oberg
33	Excerpts of Deposition Transcript of Jane LaRocca Roig

3. Attached hereto are true and correct copies of documents produced by the United States Department of Education during discovery in the above captioned matter:

Ex. No.	Description
34	June 24, 2004 Email from Pamela Moran “RE: Nelnet LaRS reporting” (Bates Nos. ED-B-002658-669)
35	May 24, 2005 Email from George Harris “RE: 9.5% Floor Question – Further Documentation” (Bates Nos. ED-B-003930-932)
36	October 13, 2006 Email from James Manning “Re: talking points” (Bates Nos. ED-F-001260-1261)
37	November 18, 2004 Letter from Rod Paige to Senator Edward Kennedy (Bates Nos. ED-G-000858-859)
38	November 1993 Dear Colleague Letter (Bates Nos. ED-B-004277-293)
39	January 18, 2007 Email from Terri Shaw “Re: nelnet q’s” (Bates Nos. ED-F-000952-959)
40	March 14, 1994 Letter to Lawrence W. O’Toole from Leo Kornfeld (Bates Nos. ED-B-001226-227)
41	Undated charts re: FY2005 (Bates Nos. ED-B-001769-770)
42	November 24, 1993 Letter from Pamela Moran to David Reicher (ED-B-001228)
43	February 23, 2007 Email from Samara Yudof to Margaret Spellings <i>et al.</i> re: “Colleges: Too Close to Lenders? Regulators are looking at how schools steer families to favored creditors (BusinessWeek Online) (Bates Nos. ED-E-000954-955)
44	December 13, 2006 Email from Nelnet’s Counsel Tom Goldstein to Ruth Jacobsen (Bates Nos. ED-A-003402-404)
45	January 18, 2007 Email from Nelnet’s Counsel Tom Goldstein to Kent Talbert (Bates No. ED-A-003406)
46	Draft Settlement Agreement (Bates Nos. ED-A-003379-389)
47	November 3, 2006 Email from David Dunn to Kristin Conklin re: “Ed-Draft Audit Reports Financial Statement Audits for Fiscal Years 2006 and 2005 (Bates Nos. ED-D-000578-581)

4. Attached hereto are true and correct copies of documents obtained from public sources:

Ex. No.	Description
48	Brief for the United States as Amicus Curiae, <i>United States ex rel. K&amp;R Ltd. P'ship v. Massachusetts Hous. Fin. Agency</i> , No. 07-7014 (D.C. Cir. 2006)
49	March 1980 Congressional Budget Office Background Paper entitled "State Profits on Tax-Exempt Student Loan Bonds: Analysis and Options" (Exhibit A to Review Doc)
50	2008 OIG Audit (A09H0015)

5. Attached hereto are true and correct copies of certain exhibits referenced in the above listed depositions taken in the above captioned matter:

Ex. No.	Description
51	Clifford Boyd Baker Deposition Ex. 29 (November 15, 2002 Email from John Wright "Floor Bonds" (with attached tables) – "Consolidations", "9.5% Floor," & "9.5% Floor Loans"; Bates Nos. PPHEA_045867-870) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
52	Clifford Boyd Baker Ex. 32 (150(d) Conversion; at PPHEA_045537) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
53	John Dean Deposition Ex. 18 (October 3, 2003 Memorandum from John Dean to David Dunn <i>et al.</i> )
54	Michael S. Dunlap Deposition Ex. 47 (January 5, 2003 Email from Paul Tone "9.5% Floor"; Bates Nos. N0124998-999) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
55	Michael S. Dunlap Deposition Ex. 50 (April 23, 2003 Memorandum from Gary Schleuger to File; Bates Nos. N0002187-188) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
56	Michael S. Dunlap Deposition Ex. 52 (Email from Mike Dunlap to Ken Posner re: "FW: Sally Stroup Comments on Half SAP/9.5 Percent Loans"; Bates No. N0000318)
57	Michael S. Dunlap Deposition Ex. 53 (April 5, 2004 Email from Mike Dunlap "Proposal/Concept; Value Maximization Using Tax-exempt Obligations" (with attached document) - "White paper on tagging"; Bates Nos. N0000408-410)

Ex. No.	Description
58	Michael S. Dunlap Deposition Ex. 55 (July 1, 2004 Email from Terry Heimes “FW: 9.5% release – urgent review needed”; Bates Nos. N0001137-139) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
59	Terry Joe Heimes Deposition Ex. 3 (December 20, 2002 Email from Ed Martinez “RE: 9.5 floor loans from te to taxable”; Bates Nos. N0120999-1000) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
60	Terry Joe Heimes Deposition Ex. 5 (January 8, 2003 Email from Ed Martinez to Jeff Noordhoek, Paul Tone, Don Bouc, Gary Schleuger and Mike Dunlap re: “9.5% Floor Opinion”; Bates No. N0125008) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
61	Terry Joe Heimes Deposition Ex. 12. (February 13, 2003 Email from Dana Scott to Carol Aversman and Jim Kruger re: “Sheep Dipping Strategy”; Bates No. N0102843) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
62	Terry Joe Heimes Deposition Ex. 15 (March 5, 2003 Email from Jeff Noordhoek “memo/letter to Christie Hanson”; Bates No. N0118352) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
63	Terry Joe Heimes Deposition Ex. 17 (April 16, 2003 Email from Dana Scott to Jim Kruger re: “9 ½ Floor Transfers”; Bates No. N0119109) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
64	Terry Joe Heimes Deposition Ex. 21 (Draft letter to Blank; Bates Nos. N0001457-459) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
65	Terry Joe Heimes Deposition Ex. 22 (“Projected Additional Earnings from “Tagging” Project”; Bates No. N0097043) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
66	Terry Joe Heimes Deposition Ex. 23 (“Nelnnet Project 950” tables; Bates Nos. N0015607-610) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
67	Terry Joe Heimes Deposition Ex. 25 (“Amended Escrow Agreement”; Bates Nos. N0029642-647) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
68	Terry Joe Heimes Deposition Ex. 27 (March 6, 2003 Email from Jeff Noordhoek “RE: Re: 9.5% Floor”; Bates Nos. N0125034-035) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
69	Terry Joe Heimes Deposition Ex. 28 (March 5, 2003 Email from Jeff Noordhoek “RE: Re” 9.5% Floor”; Bates Nos. N0125030-031) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

Ex. No.	Description
70	Terry Joe Heimes Deposition Ex. 30 (May 22, 2003 Email from Gary Schleuger "RE: 799 Bill Statement letter to DOE"; Bates Nos. N0000074-075)
71	Terry Joe Heimes Deposition Ex. 31 (May 29, 2003 Letter from Terry Heimes to Angela Roca-Baker; Bates Nos. N0003047-050)
72	Terry Joe Heimes Deposition Ex. 32 (Draft letter from Terry Heimes to Angela Roca-Baker; Bates Nos. N0001015-017) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
73	Terry Joe Heimes Deposition Ex. 33 (February 14, 2003 Fax from Frank Miller to Elise Nowikowski (with attached February 6, 2003 letter from Elise Nowikowski); Bates Nos. N0039677-678) (with attached February 6, 2003 letter from Elise Nowikowski) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
74	Terry Joe Heimes Deposition Ex. 34 (May 28, 2003 Email from Daniel Kaplan "DOE letter"; Bates Nos. N0001005-010) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
75	Terry Joe Heimes Deposition Ex. 35 (May 29, 2003 Email from Mike Dunlap "RE: DOE letter and chart"; Bates No. N0001011) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
76	Terry Joe Heimes Deposition Ex. 36 (June 19, 2003 Email from Paul Tone "RE: Getting prepared for NELF"; Bates No. N0001028) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
77	Terry Joe Heimes Deposition Ex. 37 ("Communication plan for Nelnet's use of the 9.5% floor"; Bates Nos. N0001025-027) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
78	Terry Joe Heimes Deposition Ex. 38 (November 16, 2004 Memorandum from Terry Heimes to Ken Posner; Bates Nos. N0000336-337)
79	Terry Joe Heimes Deposition Ex. 39 (May 25, 2004 Email from Mike Dunlap "Re: NELNET request"; Bates Nos. N0000558-559)
80	Terry Joe Heimes Deposition Ex. 43 (July 1, 2004 Email from Paul Tone "Re: 9.5% release – urgent review needed"; Bates Nos. N0001194-195) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
81	Terry Joe Heimes Deposition Ex. 44 (July 2, 2004 Email from Daniel Kaplan "FW: Summary of Phone Conversation"; Bates Nos. N0001247-248) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

Ex. No.	Description
82	Terry Joe Heimes Deposition Ex. 45 (July 2, 2004 Fax from Mike Sutphas to Mike Dunlap; Bates Nos. N0001250-251) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
83	Daniel Kaplan Deposition Ex. 78 (“Escrow Reserve Agreement”; Bates Nos. N0003033-040) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
84	Daniel Kaplan Deposition Ex. 80 (July 1, 2004 Email from Daniel Kaplan “RE: 9.5% release – urgent review needed”; Bates Nos. N0001144-145) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
85	Saul L. Moskowitz Deposition Ex. 2 (November 24, 1993 Letter to David M. Reicher from Pamela M. Moran (attaching October 14, 1993 letter to Ralph Madden from David M. Reicher); Bates Nos. B9005808-811) <b>CONFIDENTIAL</b>
86	Saul L. Moskowitz Deposition Ex. 8 (November 16, 2003 Email from Saul Moskowitz re: “Draft Floor Opinion”; Bates Nos. B0005437-443) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
87	Saul L. Moskowitz Deposition Ex. 13 (January 27, 2003 Letter from Saul Moskowitz to Clifford Baker; Bates Nos. PPHEA_COUNSEL00000001-011)
88	Saul L. Moskowitz Deposition Ex. 14 (November 1, 2002 Letter from Saul Moskowitz to Clifford Baker; Bates Nos. PPHEA_045883-888) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
89	Saul L. Moskowitz Deposition Ex. 15 (June 24, 2003 Letter from Saul Moskowitz to Clifford Baker; Bates Nos. PPHEA_COUNSEL00000012-022)
90	Saul L. Moskowitz Deposition Ex. 16 (February 4, 2004 Letter from Saul Moskowitz to Clifford Baker; Bates Nos. PPHEA_COUNSEL00000023-034)
91	A. Norgrin Sanderson Deposition Ex. 1 (April 21, 2003 Fax from Larry O’Toole to Norg Sanderson; Bates Nos. ELI-HC00000043-046) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
92	A. Norgrin Sanderson Deposition Ex. 2 (August 4, 2003 Letter from Lawrence O’Toole to Norg Sanderson; Bates Nos. ELI-HC00000176-177) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
93	A. Norgrin Sanderson Deposition Ex. 3 (Memorandum on Indenture Planning and Special Allowance Management (“Aurora Memo”); Bates Nos. ELI-HC00000178-230) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>



Ex. No.	Description
94	A. Norgrin Sanderson Deposition Ex. 4 (August 6, 2003 Memorandum from Norg Sanderson to Compensation Committee re: "Aurora Consulting Group Memorandum on Indenture Planning and Special Allowance Management" (Bates No. ELI-HC00000175) <b>CONFIDENTIAL (FILED UNDER SEAL)</b> )
95	Sanderson Deposition Ex. 6 (Undated document entitled "Minutes of the Board of Directors Meeting of Student Loan Finance Corporation" Bates Nos. ELI00010973-975) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
96	Ricky L. Turman Deposition Ex. 22 (November 15, 2002 Email from Saul Moskowitz "RE: Loan swapping"; Bates Nos. B9007778-779) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
97	Ricky L. Turman Deposition Ex. 26 (November 6, 2003 Email from Ricky Turman "RE: Tax Exempt Loan Swapping"; Bates Nos. B0246473-474) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
98	Ricky L. Turman Deposition Ex. 32 (Handwritten notes and July 16, 2004 Email from Adele Williams "FW: letterhead"; Bates Nos. B9000512-515) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
99	John Amos Wright, II Deposition Ex. 35 (Handwritten note; Bates No. PPHEA_045871) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
100	Terry Joe Heimes Deposition Ex. 5 (January 8, 2003 Email from Ed Martinez "RE: 9.5% Floor Opinion; Bates No. N0125008) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
101	Michael S. Dunlap Deposition Ex. 56 (July 5, 2004 Email from Mike Dunlap "Re: Press Release"; Bates No. N0001260) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
102	Michael S. Dunlap Deposition Ex. 57 (September 10, 2004 Letter from Don Bouc to Mercedes Zajicek; Bates Nos. N0002116-117) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
103	Ricky L. Turman Deposition Ex. 25 (November 4, 2003 Email from Saul Moskowitz "RE: Loan Swapping Opinion..."; Bates Nos. B0270003-005) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
104	Ricky L. Turman Deposition Ex. 29 (2003 Draft letter from Saul Moskowitz "Re: Request for Opinion"; Bates Nos. B0005438-443) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

Ex. No.	Description
105	Ricky L. Turman Deposition Ex. 30 (December 4, 2003 Email from Ricky Turman “RE: affiliate question”; Bates No. B0270286) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
106	Ricky L. Turman Deposition Ex. 33 (December 30, 2003 Email from Ricky Turman “RE: Maturity of T-E Bonds”; Bates No. B0270421) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
107	Adele Williams Deposition Ex. 6 (November 3, 2003 Email from Adele Williams to Saul Moskowitz and Ricky Turman re: “Loan Swapping Opinion...” (with attachments); Bates Nos. B027006-011) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
108	Jerry Wallace Deposition Ex. 2 (Iowa Program Review and Related Communications; Bates Nos. ISLLC-000001-063)
109	Jerry Wallace Deposition Ex. 19 (September 1, 2004 Email from Ben McPherson to Mike Sutphin, Mirek Halaska, Jerry Wallace, and Mercedes Zajicek re: “Nelnet recognizes income on pre-1993 9.5% loan “growth”)
110	Terri Shaw Deposition Ex. 26 (August 9, 2006 Email from Elizabeth Williams to Scott Walter <i>et al.</i> re: “READ AHEAD: Deputies Meeting: National Education Loan Network” (with attachments); Bates Nos. ED-F-000140-ED-F-143)
111	Terri Shaw Deposition Ex. 49 (September 2006 OIG Audit Report; Bates Nos. OBERG00000063-113)
112	Oberg Deposition Exs. 2, 57, 62 (Relator’s Responses to Nelnet, PPHEA, and Brazos Interrogatories 1.)
113	Saul L. Moskowitz Deposition Ex. 16 (February 4, 2004 Letter from Saul Moskowitz to Clifford Baker re: “Request for Opinion”; Bates Nos. PPHEA_COUNSEL00000023-034)
114	Saul L. Moskowitz Deposition Ex. 5 (September 30, 1993 Handwritten Notes; Bates Nos. B9000508-509) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
115	Saul L. Moskowitz Deposition Ex. 9 (January 8, 2004 Fax from Saul Moskowitz from Murray Watson, Keeli Villarreal, and Ricky Turman “Re: Request for Opinion”; Bates Nos. B9005756-768) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
116	Saul L. Moskowitz Deposition Ex. 1 (October 10, 2001 Email from Saul Moskowitz “RE” Tax-exempt bond issues”; Bates Nos. MOSKOWITZ_000095-099) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

Ex. No.	Description
117	Saul L. Moskowitz Deposition Ex. 6 (January 20, 2003 Email from Ricky Turman "RE: more questions"; Bates Nos. B9007795-797) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
118	Richard Criswell Deposition Ex. 14 (June 26, 2006 Letter from Richard Criswell to Rick Lovell "Brazos Higher Education Authority" (with attachments); Bates Nos. B0004934-943) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
119	Benjamin McPherson Deposition Ex. 10 (March 4, 2005 Letter from Mercedes Zajicek to Michael Dunlap; Bates Nos. ED-B-004648-681)
120	John Dean Deposition Ex. 2 (August 14, 2002 "Lobbying Report" for Nelnet, Inc.)
121	John Dean Deposition Ex. 8 (January 20, 2003 Letter from John Dean to Mike Dunlap re: "Request for Opinion"; Bates Nos. JED214-218)
122	John Dean Deposition Ex. 9 (March 4, 2003 Letter from John Dean to Michael Dunlap "Re: Request for Opinion"; Bates Nos. N0127090-094) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
123	John Dean Deposition Ex. 14 (January 30, 2004 Letter from John Dean to Michael Dunlap "Re: Request for Opinion"; Bates Nos. N0017677-690) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
124	John Dean Deposition Ex. 12 (July 7, 2003 Letter from John Dean to Michael Dunlap "Re: Request for Opinion"; Bates Nos. N0002667-673) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
125	John Dean Deposition Ex. 16 ("Chronological History of 9.5% Loan Issue"; Bates Nos. N0132944-946) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
126	Clifford Baker Deposition Ex. 31 (November 25, 2002 Handwritten Notes; Bates No. PPHEA_045877) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
127	J. Parker Deposition Ex. 3 (Panhandle-Plains Higher Education Authority Audited Financial Statements Year End 2003; Bates Nos. PPHEA_045343-373)
128	Patricia Trubia Deposition Ex. 7 (Spellings Responses to Congressional Questioning following her May 10, 2007 hearing testimony; Bates Nos. Ed-E-000001-030)
129	Patricia Trubia Deposition Ex. 9 (Nelnet Settlement Agreement; Bates Nos. ED-A-003533-542)

Ex. No.	Description
130	Carol Rakatansky Deposition Ex. 3 (“Attachment A-Signature Authorization Policy Approval and Authorization Requirements”; Bates Nos. SLMA_P0027861-864) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
131	Carol Rakatansky Deposition Ex. 4 (“Attachment B-SLM Corporation and Subsidies Signature Authority Approval Matrix”; Bates Nos. SLMA_P0027865-871) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
132	Richard Nickel Deposition Ex. 11 (Letter from Southwest Student Services Corporation to EasyPay)
133	Richard Nickel Deposition Ex. 13 (July 8, 2004 Project Troy Update)
134	Richard Nickel Deposition Ex. 20 (“Revolving Credit Agreement”; Bates Nos. SLMA_P0002852-859) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
135	Richard Nickel Deposition Ex. 5 (June 8, 2005 Memorandum from Finance Division to Rich Nickel “Divisional Status/Critical Issues Report”)
136	Richard Nickel Deposition Ex. 7 (June 22, 2005 Memorandum from Finance Division to Rich Nickel “Divisional Status/Critical Issues Report”)
137	Jason Wheeler Deposition Ex. 19 (August 4, 2004 “Preliminary Memorandum of Terms and Conditions for Project Troy”; Bates Nos. SLMA_P0000652-055) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
138	Jason Wheeler Deposition Ex. 20 (“Revolving Credit Agreement”; Bates Nos. SLMA_P0002852-859) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
139	Richard J. Chapin Deposition Ex. 12 (October 25, 2004 “Executive Orientation/Introduction-Finance”; Bates No. SLMA_EF00000174)
140	John Dean Deposition Ex. 1 (August 27, 2002 “Lobbying Report”)
141	John Dean Deposition Ex. 2 (August 27, 2002 “Lobbying Report”)
142	Jane Roig Deposition Ex. 2 (Undated letter to Vincent Roig from Martha Shine enclosing document entitled “Southwest Student Services Corporation Review Report”; Bates Nos. SLMA_P0027353-367) <b>CONFIDENTIAL</b>
143	Michael Chesin Deposition Ex. 11 (U.S. Department of Education Federal Family Loan Program Lender’s Interest and Special Allowance Request and Report Form (AELMAC); SLMA_P0007741-750)

<b>Ex. No.</b>	<b>Description</b>
144	Lisa Renee Jacobson Deposition Ex. 6 (June 13, 2005 Email from Lisa Jacobson re: "Replacement of Potential loss of 9.5% floor sap with Taxable Sap"; Bates Nos. SLMA_P0004356-357) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
145	Lisa Renee Jacobson Deposition Ex. 13 (Undated document entitled "Southwest Student Services Corporation, Arizona Educational Loan Marketing Corporation & Florida Educational Loan Marketing Corporation – Meeting Minutes (July 31, 2003 Finance Quarterly Division Meeting)"; Bates No. SLMA_EF00000700)
146	Kristie Hansen Deposition Ex. 19 (September 12, 2003 Memorandum from Kristie Hansen to Sandra Holding-Hinton, OIG re "Inspector General Hotline Complaint- Special Allowance Payments ED/01990-02"; Bates No. OBERG00005999)
147	Jon H. Oberg Deposition Ex. 15 (November 22, 2004 Email from Jon Oberg to Helen Lew re: "Ongoing OIG Audit"; Bates Nos. OBERG00004976-984)

6. Attached hereto are true and correct copies of certain documents produced by Defendants Education Loans, Inc. and Student Loan Finance Corporation during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
148	Edline Response to Relator's Interrogatory No. 20

7. Attached hereto are true and correct copies of certain documents produced by Defendants Brazos Higher Education Service Corporation and Brazos Higher Education Authority during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
149	November 3, 2004 Email from Saul Moskowitz "FW: Floor Bill" (Bates No. B0004972) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
150	October 19, 2004 Email from Saul Moskowitz "RE: Final Floor Bill Language and Matured Bonds" (Bates Nos. B0005209-210) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

<b>Ex. No.</b>	<b>Description</b>
151	January 8, 2004 Fax from Saul Moskowitz to Murray Watson, Kelli Villarreal and Ricky Turman (Bates Nos. B9005756-768)
152	October 19, 2004 Email from Saul Moskowitz "RE: Final Floor Bill Language and Matured Bonds" (Bates Nos. B0005209-210) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
153	November 3, 2004 Email from Saul Moskowitz "FW: Floor Bill" (Bates No. B0004972) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
154	August 9, 2006 Federal Student Aid Programs; Final Rule, 71 Fed. Reg. 45666 (Bates Nos. B0270230-282) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
155	November 4, 2003 Email from Saul Moskowitz to Adele Williams and Ricky Turman re: "Loan Swapping Opinion..." (Bates Nos. B027003-011) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

8. Attached hereto are true and correct copies of certain documents produced by Defendants Panhandle-Plains Management and Servicing Company and Panhandle-Plains Higher Education Authority during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
156	INTENTIONALLY OMITTED
157	June 5, 2008 Letter from Jerry Wallace to Terry Langehenning (with attached Program Review Report) (Bates Nos. PPHEA_000023-031)
158	December 17, 2002 Board of Directors Regular Meeting Minutes (Bates Nos. PPHEA_029472-475) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
159	Moskowitz Deposition Ex. 12 (Handwritten note; Bates Nos. PPHEA_045871-872) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
160	November 15, 2002 Email from John Wright "Floor Bonds" (Bates Nos. PPHEA_045867-870) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
161	March 19, 2003 Email from Kathleen Ellison "Questions on Applicability of Half Sap/Floor" (Bates No. PPHEA_045899) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>

<b>Ex. No.</b>	<b>Description</b>
162	November 1, 2002 Letter from Saul Moskowitz to Clifford Baker (Bates Nos. PPHEA_045883-888) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>
163	January 27, 2003 Letter from Saul Moskowitz to Clifford Baker (Bates Nos. PPHEA_COUNSEL00000001-011)
164	June 24, 2003 Letter from Saul Moskowitz to Clifford Baker (Bates Nos. PPHEA_COUNSEL00000012-022)
165	February 4, 2004 Letter from Saul Moskowitz to Clifford Baker (Bates Nos. PPHEA_COUNSEL00000023-034)
166	October 30, 2007 Letter from Richard Blankenship to U.S. Department of Education (with attached) "Management's Assertions," "Bond Worksheet," "Engagement Letter," "Audit Report," "Auditor's Certifications," and "Lender's Response to Audit Report" (Bates Nos. PPHEA_000885-899)
167	February 3, 2004 Email from Saul Moskowitz to John Wright re: "9.5% Floor Opinion (Bates Nos. PPHEA_045924-925) <b>HIGHLY CONFIDENTIAL (FILED UNDER SEAL)</b>

9. Attached hereto are true and correct copies of certain documents produced by Defendants Southwest Student Services Corporation and SLM Corporation during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
168	July 8, 2004 Project Troy Update (Bates Nos. SLMA_EF00000163-170) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
169	July 6, 2004 Project Troy Update (Bates Nos. SLMA_EF00000249-258) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
170	June 8, 2005 Interoffice Memorandum from Finance Division to Rich Nickel (Bates No. SLMA_EF00001234) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
171	June 22, 2005 Interoffice Memorandum from Finance Division to Rich Nickel (Bates No. SLMA_EF00001235) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
172	Completed Lender's Interest and Special Allowance Request and Report (Form 799) (Bates Nos. SLMA_P0007741-750)



<b>Ex. No.</b>	<b>Description</b>
173	Attachment A- Signature Authorization Policy Approval and Authorization Requirements (Bates Nos. SLMA_P0027861-864) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
174	Attachment B- SLM Corporation and Subsidiaries Signature Authority Approval Matrix (Bates Nos. SLMA_P0027865-871) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
175	“Revolving Credit Agreement” (Bates Nos. SLMA_P0002852-859) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

10. Attached hereto are true and correct copies of certain documents produced by Defendants Nelnet, Inc., and Nelnet Education Loan Funding, Inc. during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
176	May 22, 2003 Email from Gary Schleuger “RE: 799 Bill Statement letter to DOE” (Bates Nos. N0000074-075)
177	November 16, 2004 Memorandum from Terry Heimes to Ken Posner (Bates Nos. N0000336-337)
178	April 5, 2004 Email from Mike Dunlap “Proposal/Concept: Value Maximization Using Tax-exempt Obligations” (Bates Nos. N0000408-410)
179	May 28, 2003 Email from Daniel Kaplan “DOE letter” (Bates Nos. N0001005-010) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
180	May 29, 2003 Email from Mike Dunlap “RE: DOE letter and chart” (Bates No. N0001011) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
181	Draft letter from Terry Heimes “Re: LaRS Billing Statement Confirmation” (Bates Nos. N0001015-017) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
182	January 5, 2003 Email from Paul Tone “RE: 9.5% Floor” (Bates Nos. N0002360-366) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
183	May 29, 2003 Letter from Terry Heimes “Re: LaRS Billing Statement Confirmation” (Bates Nos. N0003047-049)



Ex. No.	Description
184	March 14, 2003 Email from J. Noordhoek to Cheryl Watson <i>et al.</i> re: "Mike D. Reauth Priority" (Bates Nos. N0118987-989) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
185	February 14, 2003 Fax (with attached February 6, 2003 letter from Elise Nowikowski) from Frank Miller (Bates Nos. N0039677-678) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
186	February 13, 2003 Email from Dana Scott "RE: Sheep Dipping Strategy" (Bates No. N0102843) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
187	"White Paper" (Bates Nos. N0117977-979) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
188	March 5, 2003 Email from Jeff Noordhoek "memo/letter to Christie Hanson" (Bates No. N0118352) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
189	March 14, 2003 Email from Jeff Noordhoek "RE: Mike D Reauth Priority" (Bates Nos. N0118987-989) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
190	April 16, 2003 Email from Dana Scott "9 ½ Floor Transfers" (Bates No. N0119109) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
191	April 22, 2003 Email from Jeff Noordhoek "memo to file" (Bates No. N0119122) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
192	January 5, 2003 Email from Paul Tone "9.5% Floor" (Bates Nos. N0124998-999) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
193	January 8, 2003 Email from Ed Martinez "RE: 9.5% Floor Opinion" (Bates No. N0125008) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
194	February 2, 2003 Email from Ed Martinez "9.5% Floor Opinion" (Bates No. N0125018) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
195	March 5, 2003 Email from Jeff Noordhoek "RE: Re: 9.5% Floor" (Bates Nos. N0125030-031) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
196	March 6, 2003 Email from Jeff Noordhoek "RE: Re: 9.5% Floor" (Bates Nos. N0125034-035) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
197	January 13, 2003 Email from Ed Martinez "FW: DRAFT Opinion" (Bates No. N0125331) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

<b>Ex. No.</b>	<b>Description</b>
198	January 27, 2003 Email from Kerrie Olsen "FW: Legal Opinion" (Bates No. N0125789) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
199	September 2006 "Final Audit Report" (Bates Nos. N0016967-036) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>
200	December 13, 2002 Email from Mike Pohl to Dave Bottegal re "Fwd: money" (Bates Nos. N0134075-076) <b>CONFIDENTIAL (FILED UNDER SEAL)</b>

11. Attached hereto are true and correct copies of certain documents produced by Relator Dr. John H. Oberg during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
201	*Notes regarding 9.5 student loan scandal (Bates Nos. OBERG00002757-759)
202	October 8, 2003 Memorandum from Adam Stoll to Michael Dannenberg (Bates Nos. OBERG00005993-998)
203	October 28, 2004 Email from Daniel Pollard "RE: Annual FSA all hands meeting" (Bates No. OBERG00007491)
204	May 25, 2004 Email from Pamela Moran "RE: Nelnet LaRS reporting" (Bates No. OBERG00007694)
205	May 14, 2004 Email from Jon Oberg to Robert Rudolph re: "9.5% percent special allowance payments" (Bates No. OBERG00008723)
206	FitchRatings-Structured Finance, Nelnet (Bates Nos. OBERG00007683-689)
207	Fitch: Nelnet U.S. SLABS Ratings Currently Unaffected by 9.5% Loan Audit (Bates Nos. OBERG00010145-146)
208	September 2006 "Final Audit Report" (Bates Nos. OBERG00001018-087)
209	November 25, 2003 Fax from D. Blad to Philip Link re: "Notification Letter" (attaching November 25, 2003 letter from Cynthia M. Fagnoni to Philip S. Link) (Bates Nos. OBERG00006114-115)

12. Attached hereto are true and correct copies of certain documents produced by Relator John E. Dean during discovery in the above captioned matter:

<b>Ex. No.</b>	<b>Description</b>
210	February 12, 2004 Letter to Ed Martinez from John Dean (Bates Nos. JED172-173)
211	June 3, 2004 Letter to Ed Martinez from John Dean (Bates Nos. JED166-167)

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



Lina Soni

Executed at:

Washington, D.C.

July 12, 2010

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12th day of July, 2010, a true and correct copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Gerard Mene, Esq. Assistant United States Attorney 2100 Jamieson Ave Alexandria, VA 22314 <i>Counsel for the United States</i>	W. Neil Eggleston, Esq. Debevoise & Plimpton LLP (DC) 555 13th Street, NW, Suite 1100 East Washington, D.C. 20004 <i>Counsel for SLM Corporation and Southwest Student Services Corporation</i>
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s/ Michael L. Sturm

Michael L. Sturm (VSB # 27533)

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